

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1188 of 2007

MAKHAN SINGH
V/S
KASTURI LAL & ANR.

Mr. GJ GUPTA, for the appellant / petitioner

Date of Order : 19.4.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner. Perused the impugned order.

The learned Revisional Court has upheld the exparte decree, and has considered the fact that despite having entered appearance through counsel on 27.3.2001 repeatedly adjournments were sought for filing reply, and more than a dozen adjournments were given including adjournment on cost, and ultimately counsel had to plead no instruction. It has been found that it has not been shown that the petitioner has ever consulted the counsel, and did not take steps for preparation of reply, and its filation, and therefore, it is found that the learned trial court rightly proceeded exparte. Then, on merits also the decree has been found to be proper. In my view, the order does not require any interference in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA), J.

/Sushil/